

**Federal Defenders
OF NEW YORK, INC.**

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BY ECF

Hon. Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Schulte*, S2 17 Cr. 548 (PAC)

Dear Judge Crotty:

In light of the Court's order of February 6, 2020 (Dkt. 304), the defense respectfully requests an order granting a 30-day continuance of the trial or, alternatively, precluding the remaining CIA witnesses from testifying.

The basis for this request is as follows. On February 6, 2020, after the first week of trial was finished, and after the first CIA witness completed his entire testimony, the government finally relented to the defense's repeated requests for the CIA witnesses' home addresses and permission to conduct a basic out-of-court investigation into those witnesses. Accordingly, the Court entered its February 6 order granting the defense such permission.

We immediately began investigating (to the extent we are able) and are continuing our efforts. But there is no way the defense can be expected to perform a reasonable investigation of so many CIA witnesses (about 15 of them) in the middle of trial. The government has been able to investigate these witnesses for nearly three years. We have not. Instead, we are being forced to conduct our investigation at the same time, literally, that we are trying this extraordinarily complicated case. This is not a fair fight.

The Court should grant a 30-day trial continuance. Alternatively, the Court should preclude the remaining CIA witnesses from testifying.

Respectfully submitted,

/s/
Edward S. Zas & Sabrina P. Shroff
Counsel for Joshua A. Schulte